

### **Remarks**

The Office Action Summary indicates that no certified priority document has been received by the Office.

In response, Applicants submit the attached certified priority document, the benefit of which has been claimed in the application declaration.

### ***Obviousness rejections***

In paragraphs 1 to 4, the Office rejects pending claims 1-5 under 35 USC §103 as being obvious over U.S. Patent No. 6,296,953 to Linden et al, JP 05098401, JP 06330246, JP 09263906, JP 49115927, JP 04083820, JP 04350148, JP 02118053, CN 1122841, SE 513989 or SE 508595.

In particular, the Office alleges that these references, as the present application, disclose Fe-Cr-Al alloy compositions. The Office acknowledges that the cited references do not disclose the claimed Be element of the alloy compositions. However, the Office contends that the presently claimed invention reads on a Be content of zero and thus would be obvious in view of the cited prior art that does not disclose any Be.

Without admitting or denying the veracity of the Examiner's argument, applicants have amended claim 1 to positively recite Be. Applicants have also amended the claims to refer a Fe-Cr-Al-Zr-Ti-Be alloy instead of a Fe-Cr-Al alloy.

Applicants also submit herewith a declaration under 37 CFR §1.132 by the first named inventor, Hee Woong Lee. This declaration supports that the Be containing alloy compositions according to the presently claimed invention show unexpected

results. The signed declaration was transmitted to the undersigned via facsimile, which rendered parts of page 2 illegible. Accordingly, the undersigned has attached a copy of page 2 of the declaration from the undersigned's file as transmitted to Mr. Lee. Upon request, Applicants will be happy to provide the Office with the original signed copy of the declaration.

The Office is directed to paragraph 4 of the declaration. Here the declaration compares the alloys according to the present invention with prior art Fe-Cr-Al-Zr-Ti alloys used by major resistance wire manufacturing companies. The table compares in particular samples of the presently claimed alloys (sample 2 and 3) with prior art alloys (samples 5 and 6) and with an alloy that shares the composition of the presently claimed alloy, but is devoid of the Be and misch metal components (sample 4).

As can be seen from the table of paragraph 4 and as explained in paragraph 5, the claimed alloys have comparatively significantly better tensile strength and elongation properties than the prior art samples 5 and 6 as well as the touchstone sample 4.

In paragraph 6 of the declaration, the inventor expresses his belief that the properties of the presently claimed alloys are superior in terms of heat resistance and hot and cold workability over alloys currently used for the production of resistance wires (see samples 5 and 6).

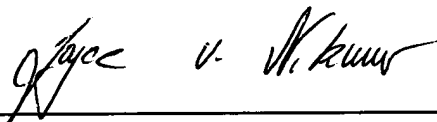
As the specification points out, samples 5 and 6, which have been used in the experiments to create the data shown in the table of paragraph 4 of the declaration, are products by major resistance wire manufacturing companies (page 6, lines 23 to 24 of the specification). In addition, the inventor declares in paragraph 6 of the declaration that he believes that those "conventional" alloys of samples 5 and 6 have tensile

strength and elongation properties comparable to yet other alloys comprising Fe, Cr, Al, Zr, Ti that can be used for electric resistance wires.

### Claim amendments

Applicants have amended pending claims 1-5. The amendments to the claims not discussed under the obviousness rejection were made solely to improve their clarity and should not be construed as limiting their scope.

No fee in addition to the extension fees attached hereto is believe to be due. However, the Commissioner is authorized to charge any fees required for consideration of this filing to RFEM's deposit account No. 02-2135.

RESPECTFULLY SUBMITTED,			
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